

FORMER D’HAUTREE SCHOOL, ST. SAVIOUR: DESIGNATION FOR USE AS MAGISTRATE’S COURT

**Lodged au Greffe on 14th November 2000
by the Legislation Committee**



STATES OF JERSEY

STATES GREFFE

180

2000

P.207

Price code: A

PROPOSITION

THE STATES are asked to decide whether they are of opinion -

in accordance with Article 1 of the Loi (1853) établissant la Cour pour la répression des moindres délits, to designate all, or any part, of the former d'Hautrée School, St. Saviour, as a place for use by the Magistrate's Court.

LEGISLATION COMMITTEE

Report

The Criminal Justice (Evidence and Procedure) (Jersey) Law 1997 came into force on 21st January 1998. The purpose of the Law was to enable evidence to be given by means of video recordings, and for unsworn evidence in certain circumstances to be given by children and generally for the conduct of proceedings where the victim of an alleged offence was a child. This new procedure enabled -

- (i) evidence through television links; and
- (ii) video recordings of testimony from child witnesses.

The facilities necessary for the provision of televised links and video evidence were initially made available, for the purposes of both the Royal Court and the Magistrate's Court, in the States Building. It was agreed that it was not worthwhile for equipment to be purchased specifically for the Magistrate's Court and, when required, the Magistrate would simply make use of the facilities in the Royal Court by temporarily moving the location of the Magistrate's Court to the States Building.

There is, however, to a provision in Article 1 of the *Loi (1853) établissant la Cour pour la répression des moindres délits* which might be construed as requiring an Act of the States specifically to approve the re-location of the Magistrate's Court for this purpose. On previous occasions, the States had adopted propositions of the then Public Works Committee designating an alternative location: an example of this was the Act of the States of 22nd November 1983 designating the third floor of Cyril Le Marquand House as a location for the Magistrate's Court. When it was necessary to use the video equipment in the Royal Court for a case last year, the States agreed, on 7th December 1999, to designate the Royal Court in the States Building for use in this way.

Members will be aware that the Royal Court has been temporarily relocated to the former d'Hautrée School premises and the necessary wiring etc. to use the video equipment has been transferred to that location. Although there is no immediate need for the Magistrate's Court to sit at d'Hautrée, the Committee, after consultation with the Attorney General, considers it prudent to ask the States to designate the premises in case there is a requirement for the Court to sit there at short notice at any time in the future. This proposition therefore seeks the approval of the States in order to be certain that this technical requirement enabling the Magistrate's Court to perform its functions has been met.